



# PUBLIC NOTICE

**File Number: NRS 14.231**

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Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**APPLICANT:** Jason Crews  
Crews Realty LLC  
3035 Centre Oak Way, Suite 101  
Germantown, TN 38187  
9901) 202-6303

**LOCATION:** Located south of U.S. Highway 72 and west of State Route 196 near Piperton, Fayette County. Latitude 34.9978; longitude 89.6273.

**PROJECT DESCRIPTION:** The proposed expansion of the existing distribution facility will require the placement of fill in 2.46 acres of wetland. This total includes 0.08 acres previously authorized under NRS 1205.028.

The applicant proposes to provide compensatory wetland mitigation on a 10-acre site located south of the Wolf River and east of Collierville. The site is currently a fallow field underlain by Falaya silt loam. Hydrology shall be provided with the construction of a "rice" levee along the northern boundary. Wetland trees shall be planted at the rate of 400 seedlings per acre. The site shall be monitored for at least 5 years for all parameters with a 7<sup>th</sup> year of tree survival only.

**DEGRADATION:** In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will result in degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** The proposed project lies within the Nonconnah Creek Watershed. More information can be found at <http://www.state.tn.us/environment/water/watersheds/nonconnahcreek.shtml>

Eight wetlands ranging in size from 0.01 to 0.99 acres were delineated on the site. All possess similar characteristics and functions. They are dominated by rushes (*Juncus* spp.), scattered immature black willow (*Salix nigra*), sedges (*Carex* spp.), water primrose (*Ludwigia peploides*) and camphorweed (*Pluchea camphorata*).

The wetland was determined to have unavailable conditions. A documented search to locate compensatory wetland mitigation in the HUC 12 resulted in the finding that no suitable site exists. The proposed compensation is in the adjacent HUC 12.

**PERMIT COORDINATOR:** Mike Lee

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

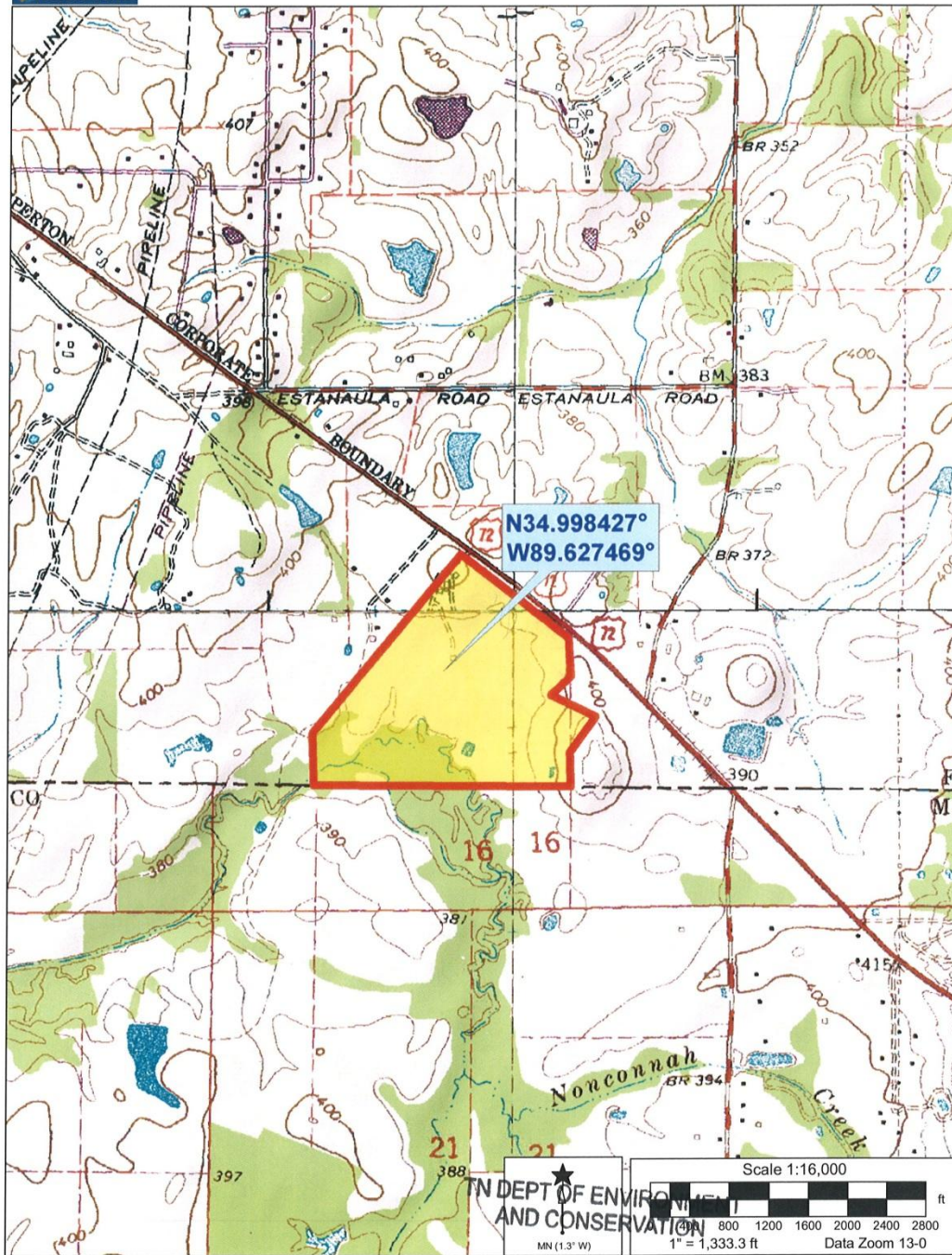
**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

**PUBLIC HEARING:** Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

**APPEAL:** A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Calabrese Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 12<sup>th</sup> floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

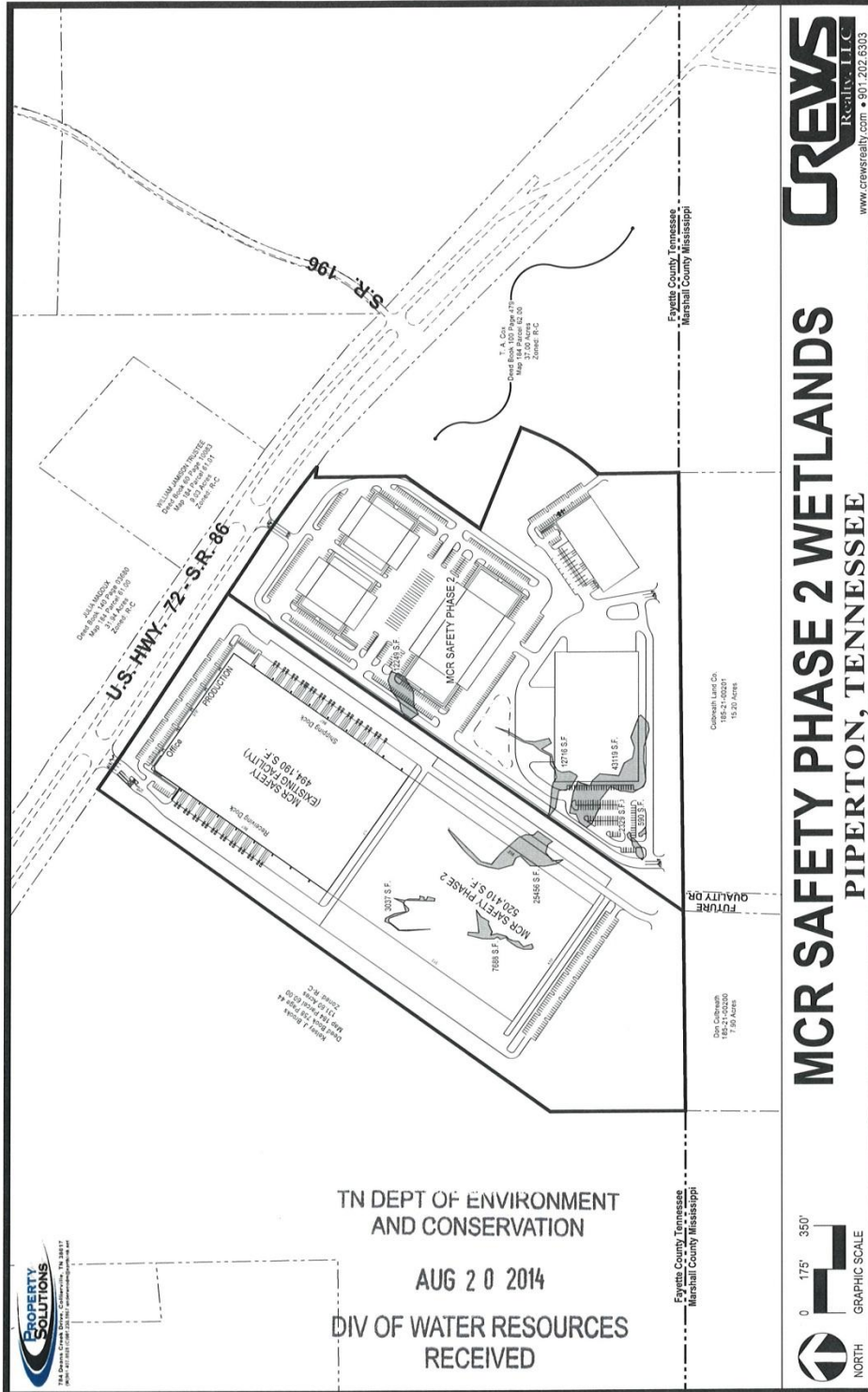
Tennessee Department of Environment & Conservation  
Division of Water Resources, Natural Resources Unit  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, Tennessee 37243



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**PHOTOGRAPHIC DOCUMENTATION**  
**MCR Safety Phase 2, Piperton, Tennessee**

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Photo 1 is a view of the 12,249 sq. ft. wetland which lies immediately southeast of the existing distribution center. The wetland is a small depressional feature and is isolated from adjacent waters.



Photo 2 is a view of the largest wetland to be impacted (43,119 sq.ft.). Note the total lack of trees.



Photo 3 shows the 25,456 sq. ft. wetland in the southwest quadrant of the site. Again, these wetlands are almost entirely herbaceous.



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Photo 4 shows the 7,668 sq. ft. wetland which also lies within the southwest quadrant of the site.





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Proposed Wetland Mitigation Site Location



Google earth

feet 900  
meters 200



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Proposed Wetland Mitigation Site